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**Sent time:** 05/11/2007 01:33:30 PM  
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**Subject:** Fw: Columbia TMDL and Other Follow-up Work \*\*\*\*Confidential \*\*\*\* Do not distribute\*\*\*\*  
**Attachments:** pic32518.gif

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Mike, This memo is exactly what we expected from the Corps. They have no intention of agreeing to our modeling effort or even small adjustments to it. The memo says "identify a shared understanding of a new modeling approach and agree upon the utility of an intergovernmental team that would be responsible for all aspects of the modeling effort. As you know, we have doubt about the need for a new modelling approach and EPA is responsible for all aspects of the TMDL, including the modeling, not a coalition of affected parties who must comply with the TMDL. In addition the memo says "Additionally, in a pre-modeling mode we would lay out a detailed roadmap of how and why we would design boundary conditions, fundamental assumptions/inputs and analytical scenarios for peer review and public consumption/comment. He is raising all the old issues about dams being part of the natural conditions, temperature in Canada, etc.

I know you know all this and don't need me being grumpy but after reading this I had to vent a bit. This is coming right from our old friends whom I could name but won't. When I read this I thought I had just woken up 4 years ago. If we are going to use the approach that you and I discussed (essentially build on what we have done by adjusting for new WQS and other changes in the last 4 years) we need to nip this in the bud.

Rick Parkin  
U.S. EPA, Region 10  
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----- Forwarded by Richard Parkin/R10/USEPA/US on 05/11/2007 01:09 PM -----

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To

Mike Gearheard/R10/USEPA/US@EPA

05/11/2007 12:47 PM

cc

David Croxton/R10/USEPA/US@EPA, "Ponganis, David J NWD"  
<David.J.Ponganis@nwd01.usace.army.mil>, Denise Keehner/DC/USEPA/US@EPA,  
"Lear, Gayle N NWD" <Gayle.N.Lear@nwd01.usace.army.mil>, Jannine  
Jennings/R10/USEPA/US@EPA, Richard Parkin/R10/USEPA/US@EPA, "Turner, Rudd  
A NWD" <Rudd.A.Turner@nwd01.usace.army.mil>, Ben Cope/R10/USEPA/US@EPA,  
Denise Keehner/DC/USEPA/US@EPA

Subject

RE: Columbia TMDL and Other Follow-up Work

Mike- We like the concept of getting together with you and your modeling folks to work toward a re-start of the Columbia-Snake TMDL process. We suggest that the re-start requires 2 other related gatherings.

Given the technical, political and institutional complexities associated with jump-starting the TMDL process, we feel the best way to re-initiate things is sequentially, on 3 different levels, with 3 differently focused groups.

Meeting #1: The 1st of 3 should be a small, policy based informal discussion between a small subset of key senior staff representing EPA HQ/Region 10, BOR HQ/Regional Rep and Corps HQ/NWD (no modelers at this one). We could conduct this meeting via phone in the relatively near term (say sometime this month). The purpose of this meeting is to have a very open, frank discussion about: 1) where things currently reside with respect to the TMDL effort for the Columbia-Lower Snake, 2) how we got where we are, and 3) to develop and provide guidance to the modelers to ensure that they come to the second meeting with a clear, shared set of objectives for the effort. We suggest that we base our new approach on the principles and concepts of the NW Federal Caucus.

Meeting #2: The second meeting would be a technical meeting with modelers (per your suggestion) and policy folks within the Federal Family. Attendees would include: EPA, COE, BOR, NOAA Fisheries, DOE/BPA (HQ/Regional reps). The purpose of this meeting: would be to serve as a precursor and a test-bed for trying to work through a number of thorny issues within the Federal Family from both the regulatory as well as the regulated community viewpoint. The policy folks need to define and provide policy guidance to the technical folks and hear/understand issues from the technical side. I figure we need to iron out most of our Federal issues (or at least get them fully understood and out on the table) before we get the rest of the governmental team (States and Tribes) together.

Meeting #3: The third meeting would be a modeling workshop with the entire intergovernmental team (Feds, States and Tribes). Hopefully, by now, we would have laid a pretty solid foundation (first, between our 3 agencies--meeting #1, then with the entire Federal Family--meeting #2) before engaging the States and Tribes. It's utterly critical that, as much as possible, we speak with a single Federal voice on issues.

The purpose of this workshop would be to: "

Additionally, in a pre-modeling mode we would lay out a detailed roadmap of how and why we would design boundary conditions, fundamental assumptions/inputs and analytical scenarios for peer review and public consumption/comment. We would also discuss the need for the inter-governmental modeling team to interpret model output and develop a written report on the outcomes of the modeling serving in a post-modeling mode for peer review and public consumption/comment. Note: this meeting may have to be planned for early FY08 due to financial constraints and the fact that our District folks would have already participated in the second meeting this year. TBD.

In your email yesterday you suggested we set up a phone call soon. We can follow-up to figure out how best to proceed.

Looking forward to working with you,  
Dave

-----Original Message-----

From: Gearheard.Mike@epamail.epa.gov [<mailto:Gearheard.Mike@epamail.epa.gov>]  
Sent: Thursday, May 10, 2007 4:00 PM  
To: Shepp, David L HQ02  
Cc: Croxton.David@epamail.epa.gov; Ponganis, David J NWD;  
Keehner.Denise@epamail.epa.gov; Lear, Gayle N NWD;  
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Subject: RE: Columbia TMDL and Other Follow-up Work

Hi Dave,

I just ran into Ben Cope, our main water quality modeler, and it reminded me that the ball might be in my court on this conversation. I've been out of the office for some time, but that is not a very good excuse for not getting back to you sooner. Sorry.

How about if we try to find a time to get together on the phone some time in the next two or three weeks to talk about how to make progress on our water quality and dams issue?

We (EPA HQ and Region 10) continue to be interested in moving forward on several fronts. There are several developments that relate to the general issue of dams and water quality in the Northwest that serve to keep this subject on our radar screen. We have been contacted by the Bureau of Reclamation in Boise about their planning process and whether they should be dedicating some fy'07 funds for the work related to the Columbia River TMDL. I believe that Oregon has prepared new policy on UAA's. And my deputy Regional Administrator, Ron Kreizenbeck, has recently been encouraged to re-engage in the Columbia River Federal Caucus.

EPA and the Corps would benefit, in my view, from direct communication about these and other developments. What do you think? We could take the lead on setting up a call, if you agree and can let me know who should participate from the Corps.

Mike Gearheard  
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04/17/2007 02:58 PM

To  
Mike Gearheard/R10/USEPA/US@EPA  
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Subject

RE: Columbia TMDL and Other  
Follow-up Work

Hi Mike--First of all, I want to apologize for being so slow in getting back to you. Please don't misinterpret it as disinterest. Nothing could be farther from reality--we definitely want to work with you and your team. It stems from a combination of factors: 1) being on the road on business travel, 2) being on leave and 3) being flooded-in in the mountains this weekend from the big Noreaster storm and having to spend an extra day up there of unplanned leave (darn). Now that I have all my excuses behind me, I want to let you know that we too, see great potential opportunity in working closely with you and your team to find a mutually beneficial way of moving the process forward--in both the Pacific Northwest, in general and in the Columbia-Snake, specifically.

As you may have imagined, our NWD team has been dutifully addressing recent court decisions and preparing our responses to the court. Consequently, we haven't yet made the necessary dedicated time to work through your concept with any specificity. We are in the process of moving it up on the radar screen. Give us a bit more time and we will get back to you with a few specific thoughts to build on the momentum we as a group created at the workshop and you have re-generated with your collaborative proposal.

Thanks for taking the first step on this "new ground". We need to be there with you, as well.

Stay tuned, we'll get back to you on this soon.

Dave

-----Original Message-----

From: Gearheard.Mike@epamail.epa.gov

[mailto:[Gearheard.Mike@epamail.epa.gov](mailto:Gearheard.Mike@epamail.epa.gov)]

Sent: Tuesday, April 10, 2007 1:01 PM

To: Shepp, David L HQ02

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Croxton.David@epamail.epa.gov; Parkin.Richard@epamail.epa.gov

Subject: Columbia TMDL and Other Follow-up Work

Hi Dave,

It has been a few months since our very constructive meeting in Portland. I was going over the final summary report for that meeting and remembering that we all talked about some things we could do to move the ball forward on issues related to dams and water quality issues in the Northwest. We talked about getting a forum together to help take on a handful of site-specific issues, and we in Region 10 are ready to talk about that work. Our states are going ahead with policy development, as you probably know. I continue to be engaged with dam operators regarding attainment issues; the overall subject remains ripe for further discussion, in my view.

Among the specific matters on our mind, of course, is the Columbia - Snake mainstem temperature TMDL. When we were in Portland, I recall that you and I spoke briefly about getting together and trying to see if our two agencies can reach agreement on some basic modeling and assumptions related to that TMDL work. I am aware that there is considerable history within our two agencies on this subject. But my hope is that we could invite the knowledgeable technical and policy people to meet and discuss alternative ways to proceed. EPA does not have the option of not doing the TMDL, since it is covered under our legal requirements, and our states have all stepped back and asked EPA to take the lead.

I was not in my current position when the draft Columbia - Snake temperature TMDL last came up for serious discussion. From what I hear around EPA, one major challenge concerns modeling temperature in the rivers; specifically, the Corps raised concerns with EPA's model. I hear there were (and probably are) other concerns related to various boundary conditions or assumptions used in developing the draft TMDL. I would propose that we put those modeling issues and major assumptions on the table and consider our options.

So what do you say? I would need to bring four or five of our managers and technical staff to such a meeting, and we would come with open minds.

My

guess is that we would need at least a day to work through the issues; two days might be better. As for location, we are open to your suggestions, although Portland might be most efficient. If you think it is time to get together to air out these issues, I would suggest that we charge a couple of our managers to prepare a draft agenda.

A couple other questions come to mind. Should we find a facilitator with no involvement in this subject to help us with the meeting? It would be fairly easy to identify some candidates for that task. Also, should we invite some other parties to participate, like one to two of our states or one or two other federal agencies?

I look forward to hearing from you. Attached is a copy of the report from our November meeting.

Mike Gearheard

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(See attached file: Nov.summary.032207.doc)